PATENT APPLICATION CS8535 LeA 36,334

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: DUNKEL ET AL.)
SERIAL NO: 10/538,242) EXAMINER: D. Williams
FILED: 12/01/2003)
TITLE: BIPHENYLCARBOXAMIDES)

PCT OPERATIONS Commissioner for Patents P.O. BOX 1450 Alexandria, VA 22313-1450

SECOND PETITION UNDER CFR 1.181

Dear Sirs:

In response to the Decision on Petition under 37 CFR1.181 dated 17 August 2007, applicant respectfully requests the Director reconsider the decision based on submission of the following requirements set forth in 37 CFR1.8(b).

Item 1. Petitioner has satisfied this requirement as stated in the Decision on Petition under 37CFR1.181 dated 17 August 2007.

Susan Strickland

Item 2. Petitioner submits an additional copy of the previously transmitted

correspondence (5 pgs consisting of 2 pgs of facsimile cover sheet, 3 pgs of

Combined Declaration and Power of Attorney form), transmission sheet

confirmation (1pg) and an auto reply transmission from the United States Patent

and Trademark Office (1 pg) transmitted on 15 December 2005.

Item 3. Petitioner submits a Declaration from Richard E.L. Henderson

stating first hand knowledge of the previous Submission of Missing Parts under

35 U.S.C. 371 on 15 December 2005, with attachments providing proof of

submission.

Petitioner believes all items listed in the Decision on Petition under 37

CFR1.8(b) dated 17 August 2007 are now satisfied.

Applicants respectfully request that the Submission of Missing Parts be

afforded the original submission date of 15 December 2005.

This is authorization to charge any additional fees due with this filing to

Deposit Account Number 50-2510.

Respectfully submitted,

Richard E.L. Henderson Petitioner for Applicants

Reg. No. 31,619

Bayer CropScience LP 2 T.W. Alexander Drive Research Triangle Park, NC 27709

Ph: 919-549-2183 Fax: 919-549-3994

I hereby appoint:

- Practition. 3 associated with the Customer Number: 34469

as my/our attorney(s) or agent(s) to prosecute the application identified and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

- The address associated with the above-mentioned Customer Number.

FULL NAME OF SOLE OR FIRST INVENTOR	INVENEOR'S SIGNATURE	£	DATE
Ralf Dunkel	La Joseph		2005-05-1
RESIDENCE	γ	CITIZENSHIP	
D 40789 Monheim, Germany		German	
POST OFFICE ADDRESS			
c/o Bayer CropScience AG, Alfred-Nobel-S		eim, Germany	
FULL NAME OF SECOND INVENTOR Hans-Ludwig Elbe	INVENTOR'S SIGNATURE	Mu	DATE 2 LUS-CL-C.
RESIDENCE		CITIZENSHIP	
42329 Wuppertal, Germany		German	
POST OFFICE ADDRESS			
c/o Bayer CropScience AG, Alfred-Nobel-S	tr. 50, D 40789 Monh	eim, Germany	
FULL NAME OF THIRD INVENTOR	INVENTOR'S SIGNATURE	1 1	DATE
Heiko Rieck	Mello M	CCIC	2005-06-710
RESIDENCE		CITIZENSHIP	
F 69110 Ste. Foy-lès-Lyon, France		German	
POST OFFICE ADDRESS	,		
9, rue Claude Monet, F 69110 Ste. Foy-lè	s-Lyon, France		
FULL NAME OF FOURTH INVENTOR	INVENTOR'S SIGNATURE	4 .	DATE
Ulrike Wachendorff-Neumann	Milaila Dail-d		2005-05-13
RESIDENCE		CITIZENSHIP	
D 56566 Neuwied, Germany		German	
POST OFFICE ADDRESS			,
c/o Bayer CropScience AG, Alfred-Nobel-S	tr. 50, D 40789 Monh	eim, Germany	4
FULL NAME OF FIFTH INVENTOR	INVENTOR'S SIGNATURE		DATE
Peter Dahmen	1 let () or		2005-05-13
RESIDENCE		CITIZENSHIP	
D 41470 Neuss, Germany		German	
POST OFFICE ADDRESS			
c/o Bayer CropScience AG, Alfred-Nobel-S	tr. 50, D 40789 Monh	eim, Germany	
FULL NAME OF SIXTH INVENTOR	INVENTOR S SIGNATURE		DATE
Peter Lösel	10-et12TL	.	6.6.05
RESIDENCE		CITIZENSHIP	
D 51371 Leverkusen, Germany		British	
POST OFFICE ADDRESS			
c/o Bayer CropScience AG, Alfred-Nobel-S	tr. 50, D 40789 Monh	eim, Germany	
FULL NAME OF SEVENTH INVENTOR	INVENTOR'S SIGNATURE	120	DATE
Karl-Heinz Kuck	Harl. Her's	·/Les	2005-05-30
RESIDENCE		CITIZENSHIP	·
D 40764 Langenfeld, Germany	•	German	
POST OFFICE ADDRESS		 	
c/o Bayer CropScience AG, Alfred-Nobel-S	tr. 50, D 40789 Monh	eim. Germany	
			

COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO

As a below named inventor, I/we hereby declare that:

My/our residence, post office address and citizenship are as stated below next to my/our name. I/we believe I am/we are the original, first and sole/joint inventor/s of the subject matter which is claimed and for which a patent is sought on the invention entitled

BIPHENYLCARBOXAMIDES

the specification of which is attached hereto,

or was filed on December 1, 2003

as a PCT Application Serial No. PCT/EP2003/013498

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims.

I/we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, \$1.56.

I/we hereby claim priority benefits under Title 35, United States Code, \$119 and \$119(e)(1) of any foreign and/or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

102 58 314.5 (Number)

Germany (Country) December 13, 2002 (Month/Day/Year Filed)

I/we hereby claim the benefit under Title 35, United States Code, \$120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, \$112, I/we acknowledge the duty to disclose the material information as defined in Title 37, Code of Federal Regulations, \$1.56 which occured between the filing date of the prior application and the national or PCF international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Bayer CropScience



Date	December 15, 2005			
То	PCT OPERATIONS			Marijana kajan
Company	USPTO			
Fax	571-273-3201	Pages	5	,
From	Richard E.L. Henderson			FAX
Fax	412-777-3902/3912	Tel.	412-777-3860	
Re:	CS-8535/LeA 36,334 PCT/EP2003/013498 Serial No. 10/538,242			

SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 35 U.S.C. 371

Please find enclosed a Combined Declaration and Power of Attorney, executed by all of the inventors, to complete the subject application which was filed on June 7, 2005. Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Deposit Account No. 50-2510. This paper is also authorization to charge any insufficiency of fees which may be required to Deposit Account No. 50-2510.

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that inadvertent disclosure of this information to you does not constitute a waiver of confidentiality or privilege and that any review, disclosure, copying, or use of the contents of the facsimile by you is prohibited. If you have received this facsimile in error, please immediately call the sender collect at the above phone number, so that we can arrange for the return of the original facsimile at our cost.

Applicants respectfully request a Notice of Acceptance under 35 U.S.C. 371 be sent to Applicants' address of record.

Richard E.L. Henderson

Kisherd El Hund

Reg. No. 31,619

FULL NAME OF EIGHTH INVENTOR		TATTO	- 1/1m		1	
Ast d Mauler-Machnik		INTENTOR	SIFIAT	in Tail		-DATE
RESIDENCE		- LAND)	MUNIC	will Willy		DATE
D 42799 Leichlingen, Germany			, -	CITIZEN	SHID	A-63
12 COL OFFICE ANDRECC				1 -		
c/o Bayer CropScience AC Als.					ian	
c/o Bayer CropScience AG, Alfred- FULL NAME OF NINTH INVENTOR JÖRG NICO GROUI	-Nobel-	Str. 50,	D 40789	Monhoim c.		
Jörg Nico Greul		INVENTOR	SIGNATU	normern, Ge	rmany	
RESIDENCE			(Franklo	$^{\circ}$ ($/$ $<$ $/$,	DATE
D 42799 Leichlin		1	177			DATE
D 42799 Leichlingen, Germany POST OFFICE ADDRESS			1 1	CITIZENS	HIP	
C/O Bayor Con C		7		Germa	n	
FULL NAME OF TENTH INVENTOR	Nobel-S	Str. 50 P	40700			
c/o Bayer CropScience AG, Alfred- FULL NAME OF TENTH INVENTOR		INVENTOR'S	40789	Monheim, Ger	many	
RESIDENCE		INVENTOR'S	SIGNATUR	E		DATE
KESIDENCE		·				
DOGT.				CITIZENSH	IIP	
POST OFFICE ADDRESS						
FULL NAME OF ELEVENTH INVENTOR						
		INVENTOR'S	SIGNATURE			T 22.55
RESIDENCE		L				DATE
				CITIZENSHI	T.	
POST OFFICE ADDRESS				Section		
TULL NAME OF TWELFTH INVENTOR						
	- 1	INVENTOR'S	IGNATURE			
ESIDENCE						DATE
						L
OST OFFICE ADDRESS				CITIZENSHIP	•	
IT Y MANAGEMENT OF THE PARTY OF						
JLL NAME OF THIRTEENTH INVENTOR						
THE PART OF	Τ,	AVIEN				
	1	NVENTOR'S S	GNATURE			ЛАТР
SIDENCE	1	NVENTOR'S S	GNATURE			DATE
SIDENCE	1	NVENTOR'S S	GNATURE	CITIZENSHIP		DATE
	1	NVENTOR'S S	GNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS	1	NVENTOR'S S	GNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS		· ·		CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR		NVENTOR'S SI		CITIZENSHIP		
SIDENCE ST OFFICE ADDRESS		· ·		CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR		· ·				
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE		· ·		CITIZENSHIP		
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR		· ·				
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS		· ·				
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE	II	IVENTOR'S SIG	SNATURE			
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR	II	· ·	SNATURE			
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS	II	IVENTOR'S SIG	SNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE ST OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR	II	IVENTOR'S SIG	SNATURE			DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR	II	IVENTOR'S SIG	SNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS	II	IVENTOR'S SIG	SNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS	IN	VENTOR'S SIG	GNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR	IN	IVENTOR'S SIG	GNATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE ST OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR	IN	VENTOR'S SIG	GNATURE	CITIZENSHIP		DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE	IN	VENTOR'S SIG	SNATURE NATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE	IN	VENTOR'S SIG	SNATURE NATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE	IN	VENTOR'S SIG	SNATURE NATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE OFFICE ADDRESS	IN	VENTOR'S SIG	SNATURE NATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR	INV	VENTOR'S SIGN	SNATURE NATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR	INV	VENTOR'S SIG	SNATURE NATURE	CITIZENSHIP	DA DA	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE T OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE OFFICE ADDRESS	INV	VENTOR'S SIGN	SNATURE NATURE	CITIZENSHIP	D	DATE
SIDENCE ST OFFICE ADDRESS LL NAME OF FOURTHEENTH INVENTOR SIDENCE T OFFICE ADDRESS L NAME OF FIFTEENTH INVENTOR IDENCE OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR DENCE OFFICE ADDRESS NAME OF SIXTEENTH INVENTOR	INV	VENTOR'S SIGN	SNATURE NATURE	CITIZENSHIP	DA DA	DATE

** TX STATUS REPORT **

AS OF DEC 15 2005 14:10 PAGE. 01 BAYER PATENT DEPT

30	DATE 12/15	TIME 14:09 USPTO	TO/FROM	MODE ECs	MIN/SEC 01'13"	PGS 005	JOB# 061	STATUS OK
			-					

Bayer CropScience



Date	December 15, 2005		
To	PCT OPERATIONS		
Compai			
Fax	571-273-3201		
From	Richard E.L. Henderson	Pages 5	
Fax	412-777-3902/3912		FAX
Re:	CS-8535/LeA 36,334 PCT/EP2003/013498 Serial No. 10/538,242	Tel. 412-777-3860	

SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 35

Please find enclosed a Combined Declaration and Power of Attorney, executed by all of the inventors, to complete the subject application which was filed on June 7, 2005. Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Deposit Account No. 50-2510. This paper is also authorization to charge any insufficiency of fees which may be required to Deposit Account No. 50-2510.

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended individual or entity named above. If you are not the intended recipient, you are hereby notified only for the disclosure, cooving, or use of the contents of the facsimile by you is prohibited. If you have received this facsimile in disclosure of this information to you does not constitute a waiver of confidentiality or privilege and that any review.

Associated call the contents of the facsimile by you is prohibited. If you have received this facsimile in disclosure, copying, or use of the contents of the facsimile by you is prohibited. If you have received this facsimile in error, please immediately call the sender collect at the above phone number, so that we can arrange for the return of the

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 412 777 3912

Fax Information Date Received: Total Pages:

12/15/2005 2:08:29 PM [Eastern Standard Time]

5 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received Cover Page

DEC 15 2005 14109 FR BAYER PATENT DEPT 412 777 3912 10 915712733201 **Bayer CropScience** Date December 15, 2005 To PCT OPERATIONS USPTO 571-273-3201 Pages 5 Fram Richard E.L. Handerson 412-777-3902/3912 Tel. 412-777-3860 Re: CS-8536/LeA 38,334 PCT/EP2003/013498 Serial No. 10/538,242 SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 35 U.S.C. 371 Please find enclosed a Combined Decisration and Power of Attorney, executed by all of the inventors, to complete the subject application which was filed on June 7, 2005, Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Depos Account No. 50-2510. This paper is also authorization to charge any insufficiency of face which may be required to Deposit Account No. **DEC** 1.5 NOTICE OF CONFIDENTIALITY PAGE US - RCVD AT 12/15/2005 2-08-29 PIO [EASIET) STANDARD TITIE() SVR-USPTO-EFXRF 4/29 \ DNIS-2733231 \ CSID:612 717 3912 \ DURAT OR (min-ss):01-42

PATENT APPLICATION CS8535 LeA 36,334

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: DUNKEL ET AL.) GROUP:
SERIAL NO: 10/538,242) EXAMINER: D. Williams
FILED: 12/01/2003)
TITLE: BIPHENYLCARBOXAMIDES)

PCT OPERATIONS
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

DECLARATION OF RICHARD E.L. HENDERSON

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Attn: BOX PCT

Sirs:

I, Richard E.L. Henderson, attorney for applicants in the above-identified application, declare that I have firsthand knowledge of the previous transmission of Submission of Missing Parts of Application Under 35 USC 371 on 15 December 2005. I executed the facsimile document on 15 December 2005 and it was submitted on that same date. According to our internal mailing/transmission procedures, items for submission to the USPTO are recorded into a daily journal on the date of submission. As proof of evidence I am enclosing a copy of the journal pages from 15 December 2005 in which the facsimile transmission to the USPTO for case number CS8535/LeA36,334 is recorded. A copy of the original facsimile with its contents, the Facsimile Transmittal and Auto Reply Facsimile Transmission from the USPTO are attached.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 10th day of October, 2007, at Research Triangle Park, NC.

Richard E.L. Henderson, Reg. 31,619

Attorney for Applicants

Richard 66 The

For Transmittal (a); Utility Patent Application transmittal (a); Patent Application with Combined Declaration & Power of Attorney; PTS 1449

MoCo 13-3848 \$1,000.00+40.00

P.O. 8685-USN / 53699 (LW)
Revocation of Pomer of attorney awith New Pomer of attorney and change of Correspondence address.
Statement Under 37 CFR 3.73(b). Recordation Form
Comer Sheet and assignment (copy)

Revocation of Pomer of attorney with New Power of attorney and Change of Correspondence address; Statement Under 37 CFR 3.73(D.; Recordation Form

PO-8688 / 53699 (2W)
Revocation of Power of attorney w/her Power of attorney and change of Correspondence address; Statement Under 37 CFR 3.73(4), Perordation form Cover Sheet; assignment (copy)

P6. 8687-US / 53699 (LW)
Revocation of Power of attorney with New Power of attorney and Change of Correspondence address; Statement Under 37 CFR 3.78 (b) Recordation Farm Come Sheet; assignment (agray)

Revocation; Change of Address

Thursday Generalis 13, 2005 (continued)

PO-8697 /MOO2-185 (DB)

Lee Transmittal (2); Patent application Transmittal (2); Patent application with biliclaration
and Porter of attorney. Assignment Transmittal;
Assignment; PTO Form 1449

Mo Co 13-3848-\$1,000.00 +\$40.00 Ext Mail TREC

PO-8000/MD-02-31 (JM)

Africa Zee Transmittal & Certificate of Mailing;

Mo Co 13-3848. \$1,400.00 + \$300.00 + \$30.00

FORUMY MOOS-34 (08)

Fee Trans mi Halla), Utility fatent

Application Trans mittalla), Patent

Application with Combined Declaration

and Power of Attorney; Assignment

with Recordation Form: PTO 1449 Exp Mail

Molo 13-3848 \$1,000.00 + 40.00 Proc.

PO 8695/MO04-125 (DB)

Fee Transmitta ((a); Ui, 1, ty Patent

Application Transmitta (1a); Patent

Application without Combined

Declaration & Power of Attorney

PTO 1449

Molo 13-3848 \$1,000.06

Pre Immory Amendment

Amendment (19 (ap)

S. POS377/LeA34, 817 (JM) Response and Appendment Under 31 CFR / 111

1 hunday - blesember 15, 2005 (continued) PO-8518/5BU-159 (LW) "The Transmittal (2); Patent application Transmittal (2) Patentapplication with Westerdion and Pomer Printy Hocument JP2004-375415. Certified Translation of \$2004-375415 Me Co 13.3848 - \$1,000,001 \$40.00 Response Mo-7487/Lea 35,810 (Jm)
Response and amendment 1 CS-8631 /BCS 055007 (RA)

Recordation Form Cone Sheet; assignment

M. Co 50-2510-\$40.00 1 P6-8639/BM5051104 (LW) Recordation John Come Shut; accugnment Mo Co 13.38'18- 440.00 Recordation Form Cover Sheet; assymment Me a 50-2510- \$40.00 CS-8406/ Lea 36,087 (RH)
Comformation bluiboure Statement Under 37 C.F. R
1,97(W. Form 1701449 and article listes thereis C58535/Laa 36,334 (RH) Submission of Missing Parts, heclaration

Me Co 50-2516 \$130 000 FAXED TO 6

CS-8561 (Laa 36, 404 (1PH)

Submission of Missing Part, heclaration FAXED TO USPIO

AS OF DEC 15 2005 14:10 PAGE. 01 BAYER PATENT DEPT

30	DATE 12/15	TIME 14:09 USPTO	TO/FROM .	MODE ECs	MIN/SEC 01'13"	PGS 005	JOB# 061	STATUS OK	
			\sim						_

Bayer CropScience



Date	December 15, 2005		
To	PCT OPERATIONS		
Compa			
Fax	571-273-3201		
From	Richard E.L. Henderson	Pages 5	
Fax	412-777-3902/3912		FAX
Re:	CS-8535/LeA 36,334 PCT/EP2003/013498 Serial No. 10/538,242	Tel. 412-777-3860	

SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 35

Please find enclosed a Combined Declaration and Power of Attorney, executed by all of the inventors, to complete the subject application which was filed on June 7, 2005. Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Deposit Account No. 50-2510. This paper is also authorization to charge any insufficiency of fees which may be required to Deposit Account No. 50-2510.

NOTICE OF CONFIDENTIALITY

The Information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended above. If you are not the intended recipient, you are hereby notified only for the disclosure, copying, or use of the contents of the facsimile a waiver of confidentiality or privilege and that any review, original facsimile at our cost.

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 412 777 3912

Fax Information Date Received: Total Pages:

12/15/2005 2:08:29 PM [Eastern Standard Time]

5 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received DEC 15 2005 14109 FR DAYER PATENT LEFT 412 777 3912 10 915712733281 Cover Page **Bayer CropScience** Date December 15, 2005 To PCT OPERATIONS Compan USPTO Fax 571-273-3201 Pages 5 Fram Richard E.L. Handerson 412-777-3902/3912 Tel. 412-777-3860 CS-8536/LeA 38,334 PCT/EP2003/013498 Serial No. 10/538,242 Bubmission of Missing Parts of Application under 35 U.S.C. 371 Please find enclosed a Combined Declaration and Power of Attorney, executed by all of the inventors, to complete the subject application which was filed on June 7, 2005. Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Deposit Account No. 50-2510. This paper is also authorization to charge any insufficiency of fees which may be required to Deposit Account No. **DEC** 1.5 NOTICE OF CONFIDENTIALITY ned in and transmitted with this facistrate may be conflictential, surject to the product, another examps from disclosure under applicable law and is intended above. If you see not file intended respect, you are hereby notified in case of the committed to you does not constitute a weber of confidentiaty or privilege and the

-PAGE 115 * RCVD AT 12/15/2005 E-01:29 PM [Eastern Standard Time] * SVR.USPTO-EFDOF 4/29 * DMS:2733231 * CSID:412 777 3912 * DURAT ON (mm-s):01-42

Bayer CropScience



Re:	CS-8535/LeA 36,334 PCT/EP2003/013498 Serial No. 10/538,242		
Fax ·	412-777-3902/3912	Tel. 412-777-3860	-
From	Richard E.L. Henderson		FAX
Fax	571-273-3201	Pages 5	_
Company	USPTO		· ·
То	PCT OPERATIONS		_
Date	December 15, 2005		

SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 35 $\underline{\text{U.s.c. }371}$

Please find enclosed a Combined Declaration and Power of Attorney. executed by all of the inventors, to complete the subject application which was filed on June 7, 2005. Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to Deposit Account No. 50-2510. This paper is also authorization to charge any insufficiency of fees which may be required to Deposit Account No. 50-2510.

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that inadvertent disclosure of this information to you does not constitute a waiver of confidentiality or privilege and that any review, error, please immediately call the sender collect at the above phone number, so that we can arrange for the return of the original facsimile at our cost.

Applicants respectfully request a Notice of Acceptance under 35 U.S.C. 371 be sent to Applicants' address of record.

Richard E.L. Henderson

Kisherd El Hund

Reg. No. 31,619

COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO

As a below named inventor, I/we hereby declare that:

My/our residence, post office address and citizenship are as stated below next to my/our name. I/we believe I am/we are the original, first and sole/joint inventor/s of the subject matter which is claimed and for which a patent is sought BIPHENYLCARBOXAMIDES

the specification of which is attached hereto,

or was filed on December 1, 2003

as a PCT Application Serial No. PCT/EP2003/013498

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims.

I/we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regula-

I/we hereby claim priority benefits under Title 35, United States Code, \$119 and \$119(e)(1) of any foreign and/or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that

102 58 314.5 (Number)

Germany (Country)

December 13, 2002 (Month/Day/Year Filed)

I/we hereby claim the benefit under Title 35, United States Code, \$120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, \$112, I/we acknowledge the duty to disclose the material information as defined in Title 37, Code of Federal Regulations, \$1.56 which occured between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date)	•
(Filing Date)	
(CA.	
(Status)	
(Application Serial No.)	
(Filing Date)	
(Status)	_
I/we hereby declare that all states (patented, pending, abandoned)	

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Le A 36 334-US

I hereby appoint:

- Practition s associated with the Customer Number: 34469

as my/our attorney(s) or agent(s) to prosecute the application identified and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

- The address associated with the above-mentioned Customer Number.

FULL NAME OF SOLE OR FIRST INVENTOR			
Ralf Dunkel	INVENTORIC		
RESIDENCE	INVENTOR'S SIGNATURE		0.00
	La Xi	a la 1	DATE 2005-C
D 40789 Monheim, Germany	γ -	CITIZENSHIP	12003-6
1 - ON TOPPICE ADDITION		Gorman	
c/o Bayer CropScience AG, Alfred-Nobel FULL NAME OF SECOND INVENTOR Hans-Ludwig Elbe		derman	
FULL NAME OF SECOND INVENTOR	-Str., 50, D 40789 M	onhoi- a	
Hans-Ludwig Elbe	INVENTOR'S SIGNATURE	Jilleim, German	<u>y</u>
RESIDENCE	Jan STORE	MI	DATE
42329 Wuppertal, Germany			12105-0
	/	CITIZENSHIP	
c/o Bayer CropScience AG, Alfred-Nobel- FULL NAME OF THIRD INVENTOR Heiko Rieck		German	
FULL NAME OF CropScience AG, Alfred-Nobel-	St- En -		
FULL NAME OF THIRD INVENTOR	301. 30, D 40789 Moi	nheim. German.	
Heiko Rieck	INVENTOR'S SIGNATURE	2 1	
RESIDENCE	Allino 11	110/1	DATE
F 69110 Ste. Foy-lès-Lyon, France	1	cur	12005-06
POST OFFICE ADDRESS		CITIZENSHIP	
9, rue Claude Monet, F 69110 Ste. Foy-16		German	
FULL NAME OF FOURTH INVENTOR	S-Lvon France		
Ulrike Wachendorff-Neumann	INVENTORICE		
ESIDENCE WACHENGOTII-Neumann	INVENTOR'S SIGNATURE		DATE
	Marke Dail	PH-X-	
D 56566 Neuwied, Germany	, ,	CITIZENSHIP	2005-05-
c/o Bayer CropScience AG, Alfred-Nobel-S JLL NAME OF FIFTH INVENTOR Peter Dahmen		Toerman	
JLL NAME OF FIFTH INVENTOR	tr. 50, D 40789 Monh	oim a	
Peter Dahmen	INVENTOR'S SIGNATURE	erm, Germany	
SIDENCE	101-115		DATE
D 41470 Neuss, Germany	T. Cook		2005-05-
ST OFFICE ADDRESS		CITIZENSHIP	
C/O Barrer G			
c/o Bayer CropScience AG, Alfred-Nobel-St LL NAME OF SIXTH INVENTOR Peter Lösel			
LL NAME OF SIXTH INVENTOR	r. 50, D 40789 Monhe	im Com	
Peter Lösel	INVENTOR S SIGNATURE	Germany	
TUENCE	11 et		DATE
D 51371 Leverkusen, Germany	127		16.6.05
		CITIZENSHIP	1000
C/O Bayer CropScience AG, Alfred-Nobel-Str L NAME OF SEVENTH INVENTOR Carl-Heinz Kuck		British	
NAME OF CROPSCIENCE AG, Alfred-Nobel Ct.			
L NAME OF SEVENTH INVENTOR	. 50, D 40789 Monhe	im Cormon	
arl-Heinz Kuck		A Germany	
DENCE	Hal. Dein	172	DATE
	5 200	1-00	2005-05-30
40764 Langenfeld Com			/ - / / / / / / / / / / / / / / / /
40764 Langenfeld, Germany	0	ITIZENSHIP	
	C	CITIZENSHIP German	
40764 Langenfeld, Germany office Address of Bayer CropScience AG, Alfred-Nobel-Str.		German	

FULL NAME OF EIGHTH INVENTOR		TNIFE				
Ast d Mauler-Machnik		INVENTOR	S FIGNAT	777		
RESIDENCE		1/4(10)	<u>uunii</u>	ull little		DATE
D 42799 Leichlingen, Germany			7		CVC:	132
				CITIZENSH		
c/o Bayer CropScience AG, Alfred- FULL NAME OF NINTH INVENTOR Jörg Nico Greul				German	n	
FULL NAME OF NINTH INVENTOR	-Nobel-s	tr 50	D 40===			
JOSE NINTH INVENTOR		T	D 40789	Monheim, Gern	lanu	
Jörg Nico Greul		INVENTOR	SIGNATUR	RE/	y	
RESIDENCE			17			DATE
D 42799 Leichlingen, Germany		· · · · · · · · · · · · · · · · ·	-			1/11.0
			1	CITIZENSHI		
c/o Bayer Cropses				German		
FULL NAME OF THE PROPERTY OF T	Nobel-St	r 50 r				
c/o Bayer CropScience AG, Alfred-N		1, 30, 1	40/89 M	onheim, Germa	ลกซ	
	1	INVENTOR'S	S SIGNATURI			
RESIDENCE					,	DATE
				102		
POST OFFICE ADDRESS				CITIZENSHIE	•	
FULL NAME OF THE						
FULL NAME OF ELEVENTH INVENTOR						
	1 -	INVENTOR'S	SIGNATURE			
RESIDENCE			_			DATE
				G.T.M.T.M.T.		
POST OFFICE ADDRESS				CITIZENSHIP		
ULL NAME OF TWELFTH INVENTOR						
OF IWELFTH INVENTOR	7 77					
TO TO THE PARTY OF	1"	NVENTOR'S	SIGNATURE			
ESIDENCE					- 1	DATE
				CIPIE		
OST OFFICE ADDRESS				CITIZENSHIP		
ITT WAVE						
JLL NAME OF THIRTEENTH INVENTOR						
	IM	VENTOR'S S	IGNATURE			
SIDENCE					- 11	DATE
				T		
ST OFFICE ADDRESS				CITIZENSHIP		
T. NAME OF						
LL NAME OF FOURTHEENTH INVENTOR						
	INV	ENTOR'S SI	GNATURE			
SIDENCE					D.	ATE
				Ţ		
T OFFICE ADDRESS				CITIZENSHIP		
ADDRESS						
L NAME OF FIFTEENTH INVENTOR						•
	INVE	NTOR'S SIG	NATURE			
IDENCE	1	- 010	MATORE		DA	TE
						_
OPERA		•		CITIZENSHIP		
OFFICE ADDRESS			1			
NAME OF SIXTEENTH INVENTOR						
THVENTOR	INVEN	TOR'S SIGN				
DENCE	1	TOR S SIGN	ATURE		DAT	
UNCE					DAT	E
			T	TTTTTTTTT		
OFFICE ADDRESS			Γ	CITIZENSHIP		
-						
NAME OF SEVENTE						
NAME OF SEVENTEENTH INVENTOR	T					
	TUVENT	OR'S SIGNA	TURE			
					DATE	
ENC E						
			T.	-		
ENCE DFFICE ADDRESS			C	ITIZENSHIP		